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In Re Application of
MOURI et al.
Application No.: 10/507,523
PCT No.: PCT/IB03/00923
Int. Filing Date: 14 March 2003
Priority Date: 15 March 2002
Attorney Docket No.: 121014
For: HOLLOW-WEAVE AIRBAG

DECISION

This is a decision on applicant's "REQUEST FOR CORRECTED FILING RECEIPT" and corrected Notice of Acceptance filed in the United States Patent and Trademark Office (USPTO) on the following dates: 15 May and 15 November 2006, 02 October 2007 and 11 April 2008.

BACKGROUND

On 14 March 2003, applicant filed international application No. PCT/IB03/00923 which claimed a priority date of 15 March 2002 and which designated the United States. Thereafter, on 14 September 2004, before the expiration of the thirty month period, applicant filed, *inter alia*, a transmittal letter for entry into the national stage and the basic national stage filing fee.

On 15 December 2004, applicant filed an executed declaration along with the \$130 surcharge for filing the oath or declaration after the thirty-month period.

On 22 December 2004, a Notification of Missing Requirements (Form PCT/DO/EO/905) was erroneously mailed, indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) was required.

On 22 February 2005, applicant filed a response to the 905 along with a copy of the previously filed declaration and a USPTO date-stamped itemized post card receipt. The response indicated that the declaration and the surcharge for filing the oath or declaration after the thirty-month period were filed on 15 December 2004.

On 04 March 2005, a Notification of Acceptance Under 35 U.S.C. 371 and 37 CFR 1.495 (Form PCT/DO/EO/903) was mailed incorrectly indicating a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 22 February 2005.

DISCUSSION

Applicant urges that the Form PCT/DO/EO/903 be vacated and that a new Notification of Acceptance be issued indicating a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 15 December 2004.

A review of the application in the USPTO's Image File Wrapper (IFW) file confirms that the executed declaration, in compliance with 37 CFR 1.497(a) and (b), was submitted on 15 December 2004. All of the requirements under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) were

satisfied.

In light of the above, the 22 December 2004 Notification of Missing Requirements (Form PCT/DO/EO/905) is hereby **VACATED**.

The Notification of Acceptance mailed on 04 March 2005 was erroneously issued and is hereby **VACATED**.

A new Notification of Acceptance will be issued indicating that the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 15 December 2004.

CONCLUSION

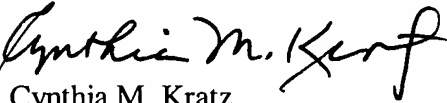
For the reasons set forth above, applicant's request to vacate the Notification of Acceptance and issue a corrected filing receipt is **GRANTED**.

The application will be forwarded to the United States Designated/Elected Office for further processing in accordance with this decision.

The 22 December 2004 Notification of Missing Requirements (Form PCT/DO/EO/905) is hereby **VACATED**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 04 March 2005 was erroneously issued and is hereby **VACATED**.

A new Notification of Acceptance (Form PCT/DO/EO/903) and a corrected filing receipt will be issued, indicating the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is **15 December 2004**.



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